

HIGH COURT OF JUDICATURE AT BILASPUR, CHHATTISGARH

SINGLE BENCH: HON'BLE SHRI S.R. NAYAK, C.J.

Writ Petition No.4973 OF 2005

PETITIONERS

1. Bhagwan Das Agrawal, aged about 45 years, son of Shri Chhotelal Agrawal
 2. Shiv Kumar Agrawal, aged about 49 years, son of Shri yanarayan Agrawal,
 3. Brij Kumar Agrawal, aged about 51 years, son of Shri Radheyshyam Agrawal
 4. Kailash Kumar Kedia, aged about 52 years, son of Shri Badri Prasad Agrawal
 5. Hemant Agrawal, aged about 52 years, son of Radheshyam Agrawal
- Ptitioners are businessmen, resident of Darri Road, Korba (Chhattisgarh)

Vs.

RESPONDENTS

1. The State of Chhattisgarh, Through the Principal Secretary, Department of Public Works, Dau Kalyan Singh Bhawan, Raipur (Chhattisgarh)
2. The District Collector, Korba (Chhattisgarh)
3. South Eastern Central Railway, through - Its General Manager Bilaspur (CG)
4. Municipal Corporation, Korba, through - Its Commissioner, Korba.

Present:

Mr. N.L. Soni counsel for the petitioner.
Mr. Yashwant Singh Govt. Advocate for the State of CG.

ORAL ORDER

(Passed on 20th February, 2006)

The grievance brought before the Court by the petitioners, put it briefly, is that by the action of the respondents in constructing Railway Bridge across their own land would render the petitioners' properties which are situated adjacent to the properties of the Railways useless. If the above allegation could be substantiated, certainly, the petitioners can work out their legal remedies before the jurisdictional civil Court by way of



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private law review remedies, like, declaration, injunction and/or for damages. Reserving such liberty to the petitioners, the writ petition is dismissed. No costs.

Sd/-
Chief Justice

B. J. J.